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To the Honorable John A. Kelly Judge
of the Circuit Court of Lee County Va
Your orator, Thomas S. Gibson Jun.
Humbly Complaining sheweth, unto your
Honor, that some time during cralittle after
the close of the late war one Mares M.
Gibson departed this life intestate, leaving
no lineal descendant, he left a considerable
personal estate and was considerably in-
debted, his personal estate, has been
fully administered, and the real estate united
out for the payment of debts, until the
same are about liquidated, the fund at all
events is sufficient to pay the same.

The real estate consists of one tract
of land situated near Gibsons Station in this
County adjoining the lands of Thomas S. Gibson
and others, and consists of about 200 acres
worth probably 3000⁰⁰\$. As before stated
the said Mares M. Gibson left no lineal de-
scendants, but the same descended to his
brothers and sisters, so in number,
viz: Elizabeth⁽¹⁾ Bass, wife of William Bass
son⁽²⁾ H. Gibson, G. E. Gibson⁽³⁾ son, Eliza⁽⁴⁾ Coleman
widow of Coleman, Mary⁽⁵⁾ L. Gibbs wife
of Alexander Gibbs, Esther⁽⁶⁾ Brown, Johnson
Gibson⁽⁷⁾, George⁽⁸⁾ Gibson, Thomas⁽⁹⁾ S. Gibson, and
Sarah⁽¹⁰⁾ Hobbs, the last four of whom is now

dead, leaving the following children their heirs at law. Johnson Gibson, six children viz.

G. S. Gibson James S. Gibson Thomas S. Gibson Jun. George W. Gibson, Nathaniel S. Gibson, and Elizabeth Moss, she is now also dead, and left the following children her heirs at law viz.

James Moss, John Moss Rufus Moss, Josephus Moss and Mary, Maryann formerly Moss who intermarried with Nathaniel Morgan, - all of these except James Moss are infants, under 21 years of age, - George Gibson left at the time of his death seven children his heirs at law which is unnecessary to name they all having sold their interest in said land and conveyed the same to Thomas S. Gibson Sen. and the above named George W. Gibson who have conveyed the same. Thomas S. Gibson left as his heirs, James Gibson Moses M. Gibson G. S. Gibson Jun. and Mary Minton wife of George Minton, and she the said Mary Minton is now dead leaving one infant child her heir at law viz. Franklin Minton, G. S. Gibson Jun. is also an infant, Sarah Hobbs is also dead as is her husband, she left at the time of her death, the following children her heirs at law viz. G. S. Hobbs, W. B. Hobbs Mrs M. B. Gibbs widow, an relict of Gibbs deceased, and Elizabeth Estes wife

of Esther and Margaret M. Lucas, wife
of Lucas, G. D. Hobbs, is also an infant
many of these parties are non-resident,
several as will be seen are infants, the
land though valuable is entirely too small to
be conveniently partitioned, and indeed it
would ruin to do so, except Thomas S. Gibson
who owns $\frac{3}{4}$ of 10th, and who has lands ad-
joining could possibly be better suited by
having his share laid off adjacent to his
and to which there would be no objection.
To have said land sold and the proceeds
thereof partitioned among those entitled thereto is
the object of this bill. Your orator here
and his friends to wit a son of Johnson
Gibson declared.

His prayer therefore is that Wm Ball, and
Elizabeth Ball his wife, Wm H. Gibson, G. D.
Gibson, Eliza Coleman, Alexander Gibbs,
Mary J. Gibbs his wife, Esther Brown, G. D.
Gibson (Johnson son) James L. Gibson, George W.
Gibson, Ashtaniel J. Gibson, James Mox,
John Mox, Rufus Mox, Josephus Mox
Ashtaniel Morgan and Mary Morgan his wife
Thomas S. Gibson (son) James Gibson (Thomas S. son)
Moses Mc Gibson G. D. Gibson Jr. Franklin Minton
G. D. Hobbs H. B. Hobbs M. V. Gibbs Estes
and M. V. Estes his wife Lucas and Margaret
M. Lucas his wife, be made parties de-

Over bill \$ 3.33
 Hayatt " 3.41
 Stts. 15.00
 3 5.50
 U. S. L. 5.00
 Curr. Orr. 7.20
 \$ 37.99
 Estimated 8.00
 \$ 45.99

Thomas S. Gibson Jr.

vs } Bill Chy

Mer. Gibbs wife et al

1881, July, Bill filed, Shas. filed
on home Dist. and arch.

H. D. N. Ord, Pich, 15 Jan. res.
Aug. 1st. Court of Probate
appointed G. D. L. for defendant
and his ans. filed. D. P. Court
and set for hearing by Bill.

" Aug. 11. Decree Court cont'd.

1882. March Decree Court cont'd.

" Aug. 1st Court cont'd.

1883, Mr. Aug 1st Court cont'd.

1884. Court this year.

1885 Mr. Decree Rule & Court.

" Aug Decree final.

Servants to this bill and answer is
 allegations upon oath, and upon a hearing
 a decree he rendered to sell said land &
 divide the proceeds thereof among those entitled.
 And for a guardian ad litem to be ap-
 pointed to answer against the infant,
 John Thos, Rufus Thos, Josephus Thos, Mary
 Thos, Martin Thos, G. D. Gibson Jr.
 and G. D. Thos. And for all other parties &
 General relief, May upon same &c.

J. D. Dickinson
 for Bill.

To the Honorable Jno. A. Kelly Judge of the
Circuit Court of Lee County Va.

The seperate answer of Franklin Minton, John
Moss, Rufus Moss, Josephus Moss, Mary Morgan
by S. Gibson Jur. and by S. Hobbs, infants
under Twenty one years of age, to a bill in
this Honorable Court against these respondents
et al. by Thomas S. Gibson Jur.; by J. A. Hyatt
their Guardians ad litem. Respondent, saving the
benefit of all just & proper exceptions, for
answer thereto or so much thereof as he is
advised is material for him to answer,
answering he says. — So far as he is
capable of judging, the plaintiff has correctly
& fully set forth the facts of the case in his
Bill, and the interest of Respondent is prop-
erly set out, Respondent knows of no reason
why said land should not be sold in
pursuance of the plaintiffs prayer, nor are
these wards of sufficient years to advise
him of any defense to the plaintiffs bill,
Respondents' wards being of tender
years and incapable of understanding

their legal rights, he begs leave to place
them upon the tender mercies of this
Court, the peculiar Guardian of infants,
and having now fully answered he prays
to be hence dismissed with his costs.

J. A. C. Hyatt.

Quia ad litem.

Sworn to before me August - 4th 1881.

John R. Gibson Clerk

Thomas D. Gibson Sec.
W. B. Ames, Jr., at litem
Copy. Files original

Filed Aug 4 - 1881.
J. A. C. Hyatt att.

4359.90

7) 435.99
62.28

Thomas J. Gibb, Jr. - - - Plff.

against

Alexander Gibb, wife et al. Deft. } such

This cause came on this day to be finally heard upon the papers formerly read - and the report of A. L. Pridemore Comr. this day filed accompanied by the deed heretofore directed to be made by him. And the said report and deed being re-excepted to are confirmed & made final - And the said S. C. Kincaid purchaser, will pay to Comr. Pridemore \$5.00 making said deed, and he has leave to withdraw the same from the files of this Court, And no further action being necessary the cause is struck from the docket.

Thomas J. Gibson Jr

23 Dec
Funeral

Alex Gibson wife & al

Aug. 1. 1885

Ent page 480.

J. A. Hyatt, cc

Enter this

Aug. 29, 1885
J. A. K

Thomas S. Gibson Jr. Plffs.
Against
Alexander Gibson & wife et al. - defts. } Indy.

This
Cause, came on this, day to be heard
upon the papers formerly read and the
report of A. L. Pridemore Comr. filed
Aug. 14th 1886; And was argued by Coun-
sel. And it appearing to the Court that
said report is unexcepted, the same
is confirmed. On consideration whereof
and for reasons, appearing to the Court-
A. L. Pridemore who is hereby appointed
a special Commissioner for the purpose
well make and execute, To S. C. Kincaid
a deed with covenants of special
warranty, for the land mentioned and
described in said Cause, as pur-
chased by him - And who is paid
for all except the amount shown by
said report. He will file a re-
port showing the execution of said
deed at some future day of this term
and the cause is continued for the coming
in of said report.

Thomas J. Gibson Jr. ... Plff }
Against } In ch
Alexander Gibbs, wife ... Deft }

This Cause came on again this day
to be heard upon the papers formerly
read, and the report of A. L. Pridemore
Special Commissioner filed December
10th 1881. and was argued by Counsel. On
consideration whereof and for reasons
appearing to the Court said report being
unexcepted to the same is confirmed and
the sale thereunder made final. And it
appearing by said report that there is
due as of ~~the~~ date of the first note
the sum of \$99. 10 to A. L. Pridemore as or
for his Commissioner ^{of sale} it is ordered that same
be retained by him out of the first
note of ~~sale~~ purchase money, and said
Commissioner is directed as the said pur-
chase money falls due to collect the same
and pay it out to the parties entitled
thereto, as shown by the papers in the
Cause, ^{except that no disbursement shall be made of the same due} but before collecting any
sums hereunder, he will execute bond
before the clerk of this Court in a penalty
of \$6000. Condition to duly perform the
duties hereunder. He will report his actions
hereunder from time to time and the Cause is
continued.

Thomas J. Gibson Jr

vs $\frac{3}{4}$ Decree -
Confirming Sale

Alexander Gibbs & wife
March J. 1882

Colo. Page 245
J. A. Hyatt
' ' Clerk,

Enter this
April 1st 1882
J. A. Hyatt

+ Said Commissioner will in his report of sale mention specially whether a real-estate sale is in his opinion more advantageous than a personal one, and whether or not for -

out any to the highest bidder. He will require a sufficient sum paid in hand to pay the costs of suit ~~and sale~~ and for the residue take bonds payable to himself as commissioner bearing interest from day of sale. But before making sale he will post notice for at least 30 days on the front door of the Court House of this County, and at two or more public places in ~~the~~ ^{that} County one of which shall be in the neighborhood where the land lies setting out time, terms and place of sale. He will report his action to this Court at some future term and the cause is continued.

Thomas S. Gibson Jr.

183 { Decree for
sale.

Alexander Gibson

Aug 1 1837

Entered for 1837

J. S. Gibson

1837

26 / 1837
J. S. Gibson

Thomas J. Gibson Jr.

against

Alexander Gibbs & wife et al

} Duchy

This Cause
Came on again this day to be
heard upon the papers formerly
read and the report of A. L.
Pridemore filed in the Cause, showing
that the last installment of the
purchase money is still due &
unpaid. It is therefore ordered
that J. C. Kincaid and Wm Haskins the
surviving obligors in said bond, Wm
Woodson being now dead. do appear
here on the first day of the next
term of this Court and show cause
if any they can why said
lands ^{or so much thereof as may be necessary} shall not be resold for
so much cash in hand as will
pay the residue appearing due
from them on said Kincaid's pur-
chase. And the Cause is continued
until the next term.

Thomas L. Gibson

vs Rule

Alexander Gibbs wife
March 1. 1883

Entered P.B. Page
-35-

J.R. Gibson D.C.

Enter this
March 25 / 1885
P.A.K.

Virginia.

At a Circuit Court continued
and held for Lee Co. March 27th 1883
Thomas Gibson Jr. Plff^s
against

Alexander Gibbs wife et al. Def^s

This cause came on this day again
to be heard upon the papers formerly
read^d and the report of A. L. Bridenbore
filed in the cause showing that
the last installment of the purchase
money is still due & unpaid.
It is therefore ordered that S.
C. Kincaid & Wm. Rossins the
surviving obligors in said bond.
William Woodson being now
dead, do appear here on the first day
of the next term of this Court and show
Cause, if any they say why said
lands or so much thereof as may be
necessary, shall ^{not} be sold for so much
cash in hand as will pay the residue
appearing due from them on said
Kincaid's purchase And the cause
is continued until the next term.

A Copy Lexte

J. S. Syatt C. C.

Thos. S. Gibson Jr
Rule
no 3

Alex. Gibbs wife et al

Executed by handing
a true office copy of the
return to J. C. Kincaid
W. C. Hoskins May the
14th 1885 J. St. Ewing S. J.
for R. D. Flanery S. J. C.

Shiriff	1.00
& copies	78-
Recd	18
	<u>89</u>

Thomas & Gibson vs

Deft

against

(Inchamers)

Alexander Gibson & wife et al. Deftd

The deposition of Thomas & Gibson & taken
before the undersigned Commissioner, in the presence
of the attorney for plaintiff and the Guardian
ad litem for the infant defendants on the
26th day of August 1881.

He said Thomas & Gibson are a witness of
lawful age and being first duly sworn, depose
and say, I am acquainted with the land in
this case mentioned and the plaintiff seeks
to partition as well as a conveyance of opinion that
it will be advantageous to the infant defend-
ants to make sale of said land.

And in other respects as to do.

Thos S. Gibson

Thomas & Gibson are a witness of lawful age
and being first duly sworn, depose and say,
I am acquainted with the land in
this case mentioned and the plaintiff seeks
to partition as well as a conveyance of opinion that
it will be advantageous to the infant defend-
ants to make sale of said land.

And in other respects as to do.

Thos S. Gibson

The said John Wilson, another witness
of said fact, etc. and being first duly sworn,
deposes and says.

I am acquainted with the book sought to
be sold in this case, and am of opinion
that it will be almost new to the infant
benefactors for said book sold, and the
benefactors thereof, in fact.

And further this I swear with me.

John H. Wilson

The foregoing declaration was made before me,
James H. Wilson, this day, before
me to and I am a notary public and the
time and for the purposes in the caption men-
tioned. Given under my hand and seal this 26th 1886.

James H. Wilson
Notary Public
County of ... State of ...

Virginia Lee County to wit.

This day A. L. Pickens personally appeared
before me the undersigned and made oath
that he is informed and believes that Eliza Calman
Alexander Gibbs, Mary J. Gibbs, his wife, James Moss
John Moss, Rufus Moss, Josephus Moss, James Gibson
Thomas & son, Moses the Gibsons, R. L. Gibson, Jr. G. L.
Hobbs, H. B. Hobbs, Mrs. V. Gibbs, M. V. Ester, her husband
Ester, Margaret Mc Sweeney, wife of Lucas
and James L. Gibson
are non residents of the County aforesaid of Virginia
Given under my hand this 10 day of June
1881.
John C. Carr D.C.

Wm. C. Lissner
25 & Affidavit
See Lissner's Spectator

8 (2) 9

To The Honorable John A. Kelly
Judge of the Circuit Court of Lee
County Virginia:

The undersigned who was appointed
to make sale of certain lands belonging
to the heirs at law of the late Mr. M.
Gibson deceased; set forth in the bill and
proceeding of the chancery cause of Thomas
S. Gibson Jr. vs. Alexander Gibbs & wife et al
now pending in your Honors Court begs
leave to Report that, in pursuance with
the discretion vested in your Court, by said
decree, he upon full information, determined
to sell said lands upon the premises, and
accordingly advertised the same, at
every public place in the County from
Cumberland Gap to the Court House, &
in pursuance to said notice on the
7th day of November, 1881 he proceeded
on the premises by public outcry to
sell the same to the highest bidder
and the same was knocked down to
J. C. Kincaid at the price of \$4505.00, of
which sum your Court required paid in hand
the cash \$46. He did not require his com-
missions paid in hand fearing the require-
ing so much paid down might injure
the sale. The cash thus paid in hand deducted
leaves the sum of \$4459. for which said

bonds must be executed on each for the sum of \$1486.33 $\frac{1}{2}$. This your Court required and said Kincaid executed the said three bonds bearing interest from date and falling due in one two & three years with Wm. Hoskins & Wm. Woods on as his securities, being perfectly good. Mr. Woodson being a man of liberal means. This sale is an exceptionally good one, no person even the most interested put the land over \$4000. and most persons at \$3500 before the sale, the later figures your Court would have regarded a fair price. Many of the adult heirs were present bidding & really wanted the land to which they attached some fanciful value being the old homestead farm; they are men of ample means & hence they ran the land over its real value & caused the high price paid for it. Your Court does not believe a better sale could under any circumstances be made. The sum due your Court, on first \$300. 5% p. ct. \$15.00
 2% p. cent on residue 4205.2 " " 84.10
 making in all - - - - - 99.10
 which your Court thinks should be paid him out of first note, as thus leave for distribution among said heirs the net sum of \$4359.90 with legal interest thereon from 7th of Nov. 1861. All of which is respectfully submitted.

Dec. 10th / 1881.

A. L. Ordinaire

Special Commissioner

Thomas S. Gleason Jr.

A. L. Ordinaire Com.
 33
 15
 3
 Report Nov. 1st

Alex. Gibbs owner at sale

Filed for Reg. 9th 1882
 J. H. A. Watt
 11/15

To the Hon. John A. Kelly
Judge of the Circuit Court of
Lee County Va.

The undersigned Special Com-
missioner in the case of ~~the~~
Thomas S. Gibson Jr. against Alex-
Gibbs and wife & others begs leave
to report that the purchaser
S. C. Kincaid has paid all
the purchase money due from
him on said farm and the same
has been paid out to the benificen-
tial receipt for all which is
in the possession of your Court,
for the inspection of the Court
or any one interested. The pur-
chaser is therefore entitled to a
deed for said land. Your Court
has said the purchase money is
fully paid there may be on a
careful settlement a few dollars
of interest yet due, but ~~the~~ party
is so perfectly good that no harm
can come from making the deed at
this time. All of which is respect-
fully submitted.

A. L. Pridemore
Special Commissioner

Thomas S. Gibson Jr

of Report Thomas

Alex Gibson and

Filed Aug. 14 1881.

In F. S. Pratt & Co.

To the Hon. John A. Kelly Judge
of the Circuit Court of Lee County
Va.

The undersigned, a Special
Commissioner in the Chy Cause
of Thomas S. Gibson J. v. Alexander
Gibbs & wife et al, beg leave to
report - that in pursuance with
a decree rendered at this term
of the Court - he has made and
thereof files the deed required by
a former decree. And no further
duty remains to be performed by
him. All of which is respect-
fully submitted.

A. L. Puckinore
Comm.

Thomas S. Gibson Jr

W J Report
J Final

Alexander Gebbsay
et al

Virginia

At Rules held in the Clerk's Office of the
Circuit Court of Lee County on Monday the
14 day of July 1881.

Leonard S. Gibson vs

Plffs

v.s

In Chancery

Alexander Gibbs vs et als Defs

The object of this suit is to set the deed in
the bill mentioned, being the land owned by
W. M. Gibson dead at the time of his death, and
divide the proceeds thereof among those
entitled thereto, And it appearing from an
affidavit filed in the case, that Eliza
Coleman, Alexander Gibbs and Mary J. Gibbs
his wife, James Moss, John Moss Rufus
Moss, Josephus Moss, James Gibson (Thomas's
son), Moses, M. Gibson, G. S. Gibson, G. S.
Habbo, W. B. Hobbs, M. V. Gibbs and her
husband — Gibbs M. V. Estes and her
husband, — Estes, Margaret, M. Lewis &
— Lewis her husband and James J.
Gibson are now residents of the State
of Virginia — It is ordered that they
appear here in one month after date
publication of this order, and do what is
necessary to protect their interest in this
suit. A copy test. J. J. Hyatt Clerk

Lee County to wit

I certify that on the 1st day
of the July County Court, 1881, posted
a copy of the within order at the front
door of the Court House.

July 25 1881,

J. P. Nye, Clerk.

Wm. D. Lusk

Wm. D. Lusk

Wm. D. Lusk

Wm. D. Lusk

Copies pasted to one

to Lee Sentinel

July 25 1881

The Commonwealth of Virginia.

To The Sheriff of Lee County, Greeting.]

We command you to summon

*Wm Ball, Elizabeth Ball his wife, Wm V. Gibson
G. S. Gibson Jr, Eliza Colman, Alexander Gibbs, Mary V. Gibbs his wife,
Esther Brown, G. S. Gibson, Johannes Ludwig, J. Gibson, George W. Gibson,
William F. Gibson, James Mass, John Mass, Rufus Mass, Joseph Mass, Na-
thaniel Morgan, Mary Morgan his wife formerly Mary Mass, G. S.
Gibson Jr, James Gibson, Phas. H. son of J. M. Gibson, G. S. Gibson Jr
Francis M. Gibson, J. S. Gibbs, N. B. Gibbs, M. V. Gibbs, 7 Estes, and M. V. Estes
his wife, Lucas & Margaret M. Lucasthis wife,*

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court House, on the first Monday in *July*
next, being rule, to answer a bill in Chancery, exhibited in our said Court against *them* by

Thomas S. Gibson Junr.

And have then there this writ. Witness JAMES W. Orr, Clerk of our said Court, at the Courthouse, this
day of *June* 1881, in the 105 year of the Commonwealth.

John W. Orr, D. Clerk.

Thos. S. Gibson Jr.

vs } Sp. no. Chy.

Alce Gibson wife et als

vs July Rules 1881

Executed by delin
ing Copies of the within
Thos. S. Gibson

Mrs Ball Elizabeth

Ball and Thos
Gibson vs S. S. Gibson

on 11th Jan - Eltham
Brown Thos Gibson

on 1st Feb. S. S. Gibson
Serge G. W. Gibson

Nathaniel Morgan and
Mary Morgan

Thos. S. Gibson Jr.

OFFICE OF

WILLIAM A. ORR,

Attorney and Counsellor at Law,

Will practice in all the Courts of
LEE, SCOTT, WISE AND WASHINGTON COUNTIES,

And in the

FEDERAL COURT AT ABINGDON

PROMPT ATTENTION

GIVEN TO THE COL-
LECTION OF CLAIMS.

Jonesville, Lee County, Va., July 22 1881.

I hereby certify that the Order of Publication
of which the attached is a copy has been
published four successive weeks in
the Lee County Sentinel a weekly news
paper published at Jonesville, Va.

Wm. A. Orr
Editor.

VIRGINIA :—At rules held in the Clerk's
office of the Circuit Court of Lee county on
Monday the 4th day of July, 1881.
THOMAS S. GIBSON, JR., Plt'ff. } In
VS. } Ch'cy.

ALEX' R. GIBBS & wife et als, Defts.

The object of this suit is to sell the land in
the bill mentioned, being the land owned by
M. M. Gibson, dec'd., at the time of his death
and divide the proceeds thereof among those
entitled thereto; and it appearing from an affi-
davit filed in the case that Eliza C. Gibson, Alex-
ander Gibbs and Mary J. Gibbs his wife;
James M. S. James Gibson (Thomas A.)
Moses McGibson, Z. S. Gibson, Jr., Z. S.
Hobbs, W. B. Hobbs, M. V. Gibbs, her hus-
band, — Gibbs; M. V. Estes, her husband,
— Estes; Margaret M. Lucas and — Lu-
cas her husband, and James J. Gibson are
nonresidents of the State of Virginia. It is or-
dered that they appear here within month af-
ter due publication of this order and do what
is necessary to protect their interest in this
suit. A copy. Teste:—

Jul 8 4ws6 J. A. G. HYATT, Clerk.

Thos S. Gibson Jr
vs. J. Order Pub.
Alex Gibbs vs. J. Gibbs
at: ab

Fee \$6 —